

March 9, 1978

LB 623, 672A, 169

SENATOR BARNETT: I move now that we advance LB 623 to E & R.

PRESIDENT: All in favor say aye. Contrary say nay. The bill is advanced. Senator Labedz moves that the Call be raised. Record your vote. Record.

CLERK: 17 ayes, 0 nays to raise the Call, Mr. President.

PRESIDENT: The Call is raised.

CLERK: Mr. President, I have a new bill 672A, which was introduced by Senator Nichol. Read bill.

PRESIDENT: Senator Cullan.

SENATOR CULLAN: Mr. President, I would ask unanimous consent to bracket 623 on E & R Engrossing until Monday so that I may prepare some amendments for that bill.

PRESIDENT: You ask for unanimous consent?

SENATOR CULLAN: Yes, until Monday.

PRESIDENT: All right. Is there an objection? Seeing none, it is so ordered. LB 169.

CLERK: Mr. President, LB 169 was introduced by the Judiciary Committee and signed by the members thereof. Read bill. Senator, would you like me to read those? Read Mills' amendments.

SENATOR MILLS: Mr. President, members of the Legislature. Last week I asked that we hold this bill for awhile and do some further research, of which I have done and we have gone through the committee statement and found that there were some problems that this amendment will correct. We have visited with a number of district court judges and a number of juvenile court judges. We have visited with those people who were at the hearing and objected to the bill and I am offering to you this amendment which I think clarifies it and has been accepted by the district court judges and was suggested by the juvenile court judges. Really what it does, is it makes sure that there is a separate hearing that will take place if there is a termination of parental rights from the divorce decree that would be held by the district court. That, I think, is the most important part. Seeing that those parents that have their parental rights terminated have a separate hearing and are completely aware of what has happened. Judge Fahrnbruch in his statement to the Judiciary Committee made a point in his statement to the committee that wanted to make sure that there was due notice and hearing for those people who have their parental rights terminated. This, I'm sure would take care of that. Some of the other fears that I had originally of the bill have since been removed by my further study of the area. The Section three that the new language I think is really not the most important language but what it is saying since they are putting this parental right termination into the divorce decree, is that the district court shall terminate parental rights only when no other alternative consist and with the best interests and I think that is what we are all concerned about, when the best interest of the child is possible. Such termination shall occur only